

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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2005 MAR -1 P 3:27

Derick Tyler,

Petitioner,

v.

David Nolan,

Respondent.

Civil Action No. 04-12680-NMG

**PETITIONER'S MOTION FOR EXTENSION OF TIME
ON HIS STAY WHILE THE STATE LOOKS AT HIS
"UNEXHAUSTED" ISSUES**

Now comes the Petitioner, Derick Tyler, respectfully requests of this Honorable Court further extension on his stay until full resolution of his "unexhausted" claims now pending before the State Superior Court.

This Court on 12/29/04 ordered that this matter is stayed until 3/25/05. The Petitioner contends that he will need more time to exhaust his newly discovered evidence claim and additional claims in the State Courts whereas actions has yet to be taken on his pending motion for new trial.

In the interest of justice the Petitioner prays that this Court grants him more time.

Respectfully Submitted,

Derick Tyler
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Dated: 3/5/05